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ELECTION COMMISSION, INDIA
NOTIFICATION

New Delhi, the 13th February 1958

S.R.O. 37.—In continuation of the Commission's notification No. 82/338/57/14050, dated the 24th October, 1957, published in the Gazette of India Extraordinary Part II, Section 3, dated the 28th October, 1957, under section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the judgment of the High Court of Judicature for Rajasthan Jaipur Bench, delivered on the 12th December, 1957 on the appeal filed by Shri Shantialal, son of Durlabhji, Durlabhkunj, New Colony, Jaipur, against the final order, dated the 27th August, 1957 of the Election Tribunal, Jaipur, in election petition No. 338 of 1957.

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN (JAIPUR BENCH)
ORDER

Shantialal and another

Vs.

Shri C. Jacob, Judge, Election Tribunal, Jaipur and others

D.B.C. WRIT APPLICATION No. 176 of 1957.

Under Articles 126 & 127 of the Constitution of India.

Decided on 12th December, 1957

PRESENT

The Hon'ble Mr. Justice K. L. Bapna.

The Hon'ble Mr. Justice D. M. Bhandari.

Mr. C. L. Agarwal *for the applicants.*

Mr. S. R. Chandra *for respondent No. 2.*

By the Court (Per Hon. Bapna J.)

This is a writ application against the order of the Election Tribunal, Jaipur, dated 27th August, 1957.

As held in D. B. Civil Misc. Appeal No. 70 of 1957 (Shah Alimuddin V. Shri Satish Chandra Agarwal) the order of the Election Tribunal is open to appeal, and the petitioner has availed of this remedy. The writ petition is not maintainable in the view of law that we have taken in D. B. Civil Misc. Appeal No. 70 of 1957. There is not error on the face of the record either. The writ petition is accordingly dismissed.

(Sd.) K.L.B.

(Sd.) D.M.B.

[No. 82/338/57/5382.]

By Order,

S. C. ROY, Secy.

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